

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

NOVOZYMES A/S,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 05-160-KAJ
	:	
GENENCOR INTERNATIONAL, INC. and	:	
ENZYME DEVELOPMENT CORPORATION,	:	
	:	
Defendants.	:	

**STIPULATION CONCERNING ADMISSION OF TE 226**

IT IS HEREBY STIPULATED AND AGREED by the parties, through their undersigned counsel, and is SO ORDERED by this Court, that the amino acid sequence set forth in Exhibit 1 of the Fourth Jorgenson Declaration<sup>1</sup> is the sole amino acid sequence of the only alpha amylase determined by Novozymes from its analysis to be present in the sample of G-ZYME G997 provided by Genencor at the close of trial, and that the analysis was conducted as described in TE 206. Defendants further stipulate to admission of Exhibit 1 to the Fourth Jorgenson Declaration as TE 226. (A copy of TE 226 is attached hereto as Exhibit A).

This stipulation is without prejudice to the parties' right to propose findings of fact and conclusions of law and present arguments, based on evidence of record, with respect to the amino acid sequence of G-ZYME G997, including but not limited to such issues as: whether the amino acid sequence of all samples of G-ZYME G997 is the same, whether the amino acid

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<sup>1</sup> The Fourth Jorgenson Declaration has been previously submitted to the Court as Exhibit E to the letter from Rolin P. Bissell to the Honorable Kent A. Jordan, dated March 31, 2006.

sequence of a particular sample of G-ZYME G997 remains the same over time, and/or whether there is a single, unvarying amino acid sequence for G-ZYME G997.

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**SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.**

\_\_\_\_\_  
United States District Court Judge